

ORIGINAL

United States District Court
Eastern District of New York

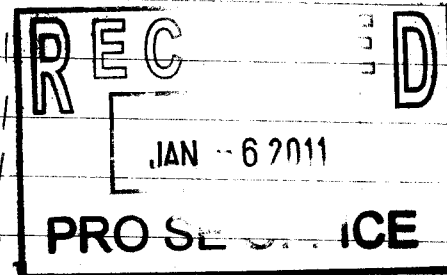
Corey Davis,

11-000203

Plaintiff,

ROSS,
CARTER, M.J.

- against -



United States Department of
Homeland Security - Transportation
Security Administration, United States
Department of Justice - Federal
Bureau of Prisons,

Defendants,

Now comes Corey Davis, Plaintiff, Pursuant to the Freedom of Information Act 5 U.S.C. § 552(a)(4)(B) seeking this Court to order the United States Department of Homeland Security - Transportation Security Administration and the United States Department of Justice - Federal Bureau of Prisons, defendants, to comply with the provisions of the FOIA and provide the Plaintiff with releasable records which he has requested.

Statement of Facts

Federal Bureau of Prisons

1. On July 19, 2010 the Plaintiff filed a FOIA request with the Federal Bureau of Prisons requesting various records. The request also notified the Bureau of Prisons (B.O.P.) that the records sought are evidence

to be used in a United States Court matter. (see attached)

2. The request was sent via certified U.S. Mail number 7008 1830 0000 5837 1573. It was received by the B.O.P. and signed for by a Ms. or Mr. "Tapp" on August 2, 2010. (see attached copy)
3. The FOIA requires an agency to respond to a request within twenty (20) business days. On September 1, 2010 the Plaintiff wrote the B.O.P. to request a reply to the July 19, 2010 FOIA request. (see attached copy) The letter was sent via certified U.S. Mail number 7009 2250 0002 3937 3132. It was received by the B.O.P. and signed for by a Ms. or Mr. "TAPP" on September 7, 2010. (see attached copy).
4. By letter dated September 10, 2010 the B.O.P. informed the Plaintiff that no request was found under his name or register number. (see attached copy)
5. On October 16, 2010 Plaintiff wrote the B.O.P. and provided them a copy of the original July 19, 2010 FOIA request and a copy of the returned certified mail receipt signed for by a Ms. or Mr. "Tapp". Plaintiff requested to be informed why his requests continue to "disappear" and to be provided the records he seeks. This letter was sent via certified U.S. Mail number 7009 2250 0002 3937 2753. It was received by the B.O.P. and signed for by a Ms. or Mr. "TAPP" on October 25, 2010. (see attached copies)
6. The B.O.P. has never responded to the Plaintiff's October 16, 2010 letter and has never provided the records which

the Plaintiff seeks.

Transportation Security Administration

7. On August 9, 2010 Plaintiff filed a FOIA request with U.S. Department of Homeland Security - Transportation Security Administration (TSA) seeking various records (see attached).
8. The request was sent via certified U.S. Mail number 7009 2250 0002 3937 8984. It was stamped received on August 13, 2010. (see attached copy)
9. By letter dated August 23, 2010 the TSA informed the plaintiff that because he requested records about himself, he need to return an affirmation/declaration form to ensure his personal information is not released to anyone other than him. The affirmation/declaration form was included with the letter. (see attached copy)
10. The request was assigned a request number, TSA 10-0762.
11. On August 29, 2010 Plaintiff returned the affirmation/declaration form. It was sent via Certified U.S. Mail number 7008 3230 0002 4981 0966. It was received by the TSA on September 7, 2010 (see attached copies)
12. By letter dated October 16, 2010 the Plaintiff wrote the TSA reminding them of their obligation under the FOIA to respond to a request within twenty (20) days of receipt of a request. He also reminded the TSA that he had returned the declaration form. (see attached)
13. This letter was sent via Certified U.S. Mail number 7009

2250 0002 3937 3217. The return receipt was never returned to the Plaintiff. However, he obtained the delivery information from the U.S. Postal Service website which confirmed the letter was delivered on October 25, 2010. (see attached copy)

14. On November 14, 2010 the Plaintiff again wrote the TSA requesting the records he seeks. In the letter Plaintiff informed the TSA that their failure to respond would leave him no choice but to seek the court's assistance. (see attached)
15. This letter was sent via Certified U.S. Mail number 7009 2250 0002 3937 2982. The return receipt has not been returned to the Plaintiff.
16. The TSA has not responded in any way to the Plaintiff's requests for releasable records.

Law

17. 5 United States Code Subsection 552(a)(6)(A)(i) calls for an agency to "determine within twenty (20) days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor, and of the right of such person to appeal to the head of the agency any adverse determination."
18. Neither the U.S. Department of Homeland Security - Transportation Security Administration or the U.S. Department of Justice - Federal Bureau of Prisons have provided

the Plaintiff any determination or the records he seeks. They are both in violation of the Freedom of Information Act

Prayer For Relief

19. Wherefor the Plaintiff requests this Court to order the TSA and the B.O.P. to immediately provide Plaintiff the following records:

The Federal Bureau of Prisons:

- A. The unedited video surveillance footage capturing Unit Three (3) North at the Metropolitan Detention Center - Brooklyn. The continuous unedited footage for all twenty-four (24) hours of each and every day from March 12, 2009 and May 31, 2009. This includes all footage from the cameras capturing rows one (1), two (2) and three (3), Four (4) and Five (5), Six (6) and Seven (7), eight (8) and nine (9), and ten (10). Also the two (2) cameras capturing the day room/common area, the television room, the religion room, and the recreation deck.
- B. The original, unedited video surveillance footage of the East Building sixth floor sallyport at the Metropolitan Detention Center - Brooklyn on June 9, 2010 between the hours of 8 A.M. and 9:30 A.M. This request includes the footage from all cameras capturing the sallyport.
- C. My complete unedited, unredacted Inmate file
- D. The Plaintiff's complete unedited, unredacted SIS file. This includes any and all information contained from any and all Bureau of Prisons facility.

- E. Copies of any and all correspondence between the Federal Bureau of Prisons and the Plaintiff.
- F. The full name and title of a Federal Bureau of Prisons employee named Mrs. or Mr. Topp. Specifically the employee who has signed for the mail submitted by Plaintiff and listed in this complaint.
- G. The names and Bureau of Prisons inmate identification numbers of all inmates housed in Unit Three (3) North at the Metropolitan Detention Center - Brooklyn at any time between March 1, 2009 and May 31, 2009. Including all bedding assignments for each inmate.
- H. The recordings of all telephone calls placed by the Plaintiff while housed at the Metropolitan Detention Center - Brooklyn, Federal Detention Center - Philadelphia, and Federal Correction Institution Beckley. Also, the records of time, date, length of call, and location within each institution from which the call was placed.
- I. Any and all records documenting the Bureau of Prisons participation and or cooperation with investigations by any law enforcement agencies regarding the Plaintiff. This includes any notifications, memorandums, notes, files (paper or digital), warrants, Court orders, and or E-mails.

Transportation Security Administration:

- J. The airline carrier and flight number with the corresponding passenger list for a flight which originated in Dallas-Fort Worth, traveled to Cleveland, Ohio, and then continued on to New York - LaGuardia Airport on either

March 27, 2006 or March 28, 2006.

- K. Any documents in the possession of the TSA regarding the flight described in item J of this complaint. This includes any notifications, reports, memorandums, or E-mails from within the TSA and or from any outside law enforcement agency.
- L. The names and titles of all flight crew members on the flight described in item J of this complaint.
- M. Any documents showing the TSA's requirements of Commercial air carriers to electronically store flight records. I.e. passenger lists, incident reports, payment records, and or flight delays.
- N. The name and badge number of the air marshal assigned to the flight described in item J of this complaint.
- O. Any and all documents in the TSA's possession bearing the name Corey Davis D.O.B. February 13, 1972, Chester Davis D.O.B. August 23, 1944, Chet Davis and or William Duval Carter.
- 20. To order the TSA and or the B.O.P. to preserve as evidence any records or portions thereof, that either agency might cite as exempt from release under any of the FOIA's exemptions.
- 21. And any other relief that the Court may deem right and just under the circumstances.

Respectfully Submitted,

Cory Davis
Cory Davis

DATE: January 1, 2010

Copy

Mr. Corey Davis
MIX Brooklyn 80-245
Brooklyn, New York 11232
July 19, 2010

FOI/Privacy Office
Federal Bureau of Prisons
320 First Street NW
Room 738, HALL Building
Washington, D.C. 20534
Cert mail NO. 7008 1830 0000 5837 1573

Re: FOI Request

Dear FOI Officer:

Enclosed please find an FOI request. Portions of this request had been previously addressed to the Northeast Region. I received no reply to the requests at all. I appreciate all attention to this matter and look forward to a timely response.

Very Truly Yours,

Corey Davis

Corey Davis #42898-053

ENCLOSURE

Mr. Corey Davis
MIX Brooklyn 80-74th St.
Brooklyn, New York 11232
July 19, 2010

FOI/Privacy Office
Federal Bureau of Prisons
370 First Street N.W.
Room 738, HOLL Building
Washington, D.C. 20534
Cert. Mail No. 7008 1830 0000 5837 1573

Dear Officer:

Pursuant to the Freedom of Information Act (FOIA), 5
U.S.C. section 552 I request the following records:

1. The unedited video surveillance footage capturing Unit
3 North at the Metropolitan Detention Center. The continuous
unedited footage for all twenty four hours of each and every
day from March 12, 2009 and May 31, 2009. This includes
all footage from the cameras capturing rows one (1), two (2)
and three (3), Four (4) and Five (5), Six (6) and seven (7),
eight (8) and nine (9), and ten (10). Also the two (2) cameras
capturing the day room/common area, the television room, the
retention room, and the recreation deck.

2. The original, unedited video surveillance footage of the East Building's Sixth Floor sallyport at the Metropolitan Detention Center - Brooklyn on June 9, 2010 between the hours of 8 AM and 9:30 A.M. This includes all cameras capturing the sallyport.
3. My complete unedited, unredacted Inmate File I have been informed by the NYDC legal department that this file is in the possession of FCJ Beckley, who has refused to respond to my and my case manager, Ms. Cuyler's request for the records for my review.
4. My complete unedited, unredacted S I S file. This includes any and all information contained from any and all Bureau of Prisons facilities.
5. Copies of any and all correspondence between your office and myself. This includes all requests, memorandums, letters, and responses.
6. The full name and title of an employee, present or former, at your office whose first initial is "G" and whose last name is "Tapp."
7. The names and Bureau of Prisons ~~the~~ inmate identification numbers of all inmates housed in Unit 3 North at the Metropolitan Detention Center - Brooklyn at any time

between March 1, 2009 and May 31, 2009. This including all bedding assignments for each inmate.

8. The recordings of all telephone calls placed by me while housed at the Metropolitan Detention Center - Brooklyn, Federal Detention Center - Philadelphia, and Federal Correction Institution Beckley. Also the records of time, date, length of call, and location within each institution from which the call was placed.
9. Any and all records documenting the Bureau of Prisons participation and or cooperation with investigations by any law enforcement agencies regarding myself. This includes any notifications, memorandums, notes, files (paper or digital), warrants, court orders, and or E-mails.

All of the records requested are evidence to be used in a United States Court matter and should be maintained and preserved in an appropriate manner. Including any computers, hard drives, or any other electronic storage devices that contain the records, and or retrievable records, described in numbers one(1) through nine (9) of this request.

Very Truly Yours,

Corey Davis

Corey Davis #42898-053

1. Article Number (Transfer from 4374) ☐ Agent ☐ Addressee ☐ Delivery

Print your name and address on the reverse so that we can return it to you.

Attach this card to the back of the mail piece, or on the front if space permits.

2. Article Number (Transfer from 4374) ☐ Agent ☐ Addressee ☐ Delivery

7008 1830 0000 5837 1573

PS Form 3814, October 2002

U.S. Postal Service
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OFFICIAL USE

Postage	\$	FOIA
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.72	

Postmark Here

July 22, 2010

Sent To: FOI/Privacy Office Federal B.O.P.
 Street, Apt. No.: 320 First Street N.W.
 or PO Box No.:
 City, State, ZIP+4: Washington, D.C. 20534

PS Form 3800, August 2006 See Reverse for Instructions

Mr. Corey Davis
MPC Brooklyn 80-29th St.
Brooklyn, New York 11232
September 1, 2010

Freedom of Information/Privacy Office
Federal Bureau of Prisons
330 First Street N.W.
Room 738, HCLC Building
Washington, D.C. 20534
Cert. Mail NO. 7009 2250 0003 3937 3132

Re: July 19, 2010 FOIA Request

Dear Officer:

On August 2, 2010 your office received a FOIA request from me dated July 19, 2010. As you know, the FOIA requires an agency to respond to a request within twenty (20) days of receipt of the request. That time has elapsed and I have received no response from your office. Can you please inform me of the status of this request, thank you.

Very Truly Yours,
Corey Davis
Corey Davis # 42898-053

Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 FOIA/Privacy Act Office
 Federal Bureau of Prisons
 320 First Street N.W.
 Room 738, Holman Building
 Washington, D.C. 20534

2. Article Number
 (Transfer from service label) 7009 2250 0002 3937 3132

3. Service Type
☐ Certified Mail ☐ Express
☐ Registered ☐ Return Receipt
☐ Insured Mail ☐ Signature Required

4. Restricted Delivery? ☐ Yes ☐ No

PS Form 3811, February 2004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Request Reply to July 19, 2010 FOIA request Here September 1, 2010
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.72	

Sent To
 FOIA/PA Office - Federal B.O.P.
 Street, Apt. No.,
 or PO Box No. 320 First Street N.W. - Room 738
 City, State, ZIP+4
 Washington, D.C. 20534

PS Form 3800, August 2005



U.S. Department of Justice
Federal Bureau of Prisons
ATTN: FOIA/PA
320 First Street, NW
Washington, D.C. 20534

September 10, 2010

Corey Davis
Reg. No. 42898-053
MDC Brooklyn
80-20th Street
Brooklyn, NY 11232

Re: 2010-11914

Dear Requester:

This is in response to your request for information under provisions of the Freedom of Information/Privacy Acts. We have determined that your request cannot be processed for the reason(s) identified below. Only marked paragraphs are relevant to your request.

- ___ The matters presented in your request are not under the provision of the FOIA/PA.
- ___ The records you seek are not Federal Bureau of Prisons (BOP) records. You will need to contact the agency responsible for the records that you seek.
- ___ The records you seek are not Federal Bureau of Prisons (BOP) records. Your request has been forwarded to the ___.
- ___ The records you seek are not Federal Bureau of Prisons (BOP) records. You requested information on an individual not incarcerated at a federal facility. You will need to contact the state, local or military facility where the individual was incarcerated.
- ___ The Bureau of Prisons provides inmates with access to many of its Program Statements in the institution law libraries. Please utilize that access process. If the Program Statement is unavailable at your institution, you may resubmit your request.

- ☒ Your correspondence does not request a document. We can only process requests for existing documents.
- ☐ Your correspondence does not meet the purview of Freedom of Information Act.
- ☐ As of July 24, 2009, the Bureau of Prisons provides inmates with access to all releasable Program Statements in the institution law libraries. Please utilize that access process.
- ☐ In accordance with Federal Bureau of Prisons policy, it is suggested that you first contact local institution staff for access to your records through the review of records procedure or review of program statements maintained in the inmate law library at your institution.
- ☐ Your request does not adequately describe the document requested. There is no Program Statement that specifically covers the area of your request. While this issue may be discussed in some Program Statement, the FOIA does not require federal agencies to do the legal research necessary to locate the Program Statement that covers the area of your concern. Once you have determined the specific Program Statement you need, you may submit another request.
- ☐ The Bureau of Prisons has no custody over state and local facilities. Therefore we have no information in response to your request.
- ☐ The Freedom of Information Act allows you to make request pursuant to 5 U.S.C. § (a)(3) for any records that are not already available pursuant to §552(a)(1) or (a)(2). The records you are requesting are already available to the public pursuant to either (a)(1) - Federal Register or Code of Federal Regulations, or (a)(2) - Program Statements, etc. Consequently, you cannot make a request for these records under (a)(3). If you would like to make a request for any records that are not available as mentioned, you may submit a new request describing the agency records you seek.
- ☐ The Freedom of Information Act allows you to make request pursuant to 5 U.S.C. § (a)(3) for any records that are not already available pursuant to §552(a)(1) or (a)(2). The Program Statements you requesting are already available to the public pursuant to either (a)(2) As of July 24, 2009, the Bureau of Prisons provides inmates with access to all releasable Program Statements in the institution law libraries. Consequently, you cannot make a request for these records under (a)(3).

If you believe the above determination is incorrect, you may resubmit your request. Please reference this letter and explain why you think the decision was in error. You can find additional information on the Federal Bureau of Prisons FOIA/PA process at www.bop.gov.

Mr. Corey Davis
MDC Brooklyn 80-29th St.
Brooklyn, New York 11232
September 1, 2010

Freedom of Information/Privacy Office
Federal Bureau of Prisons
330 First Street N.W.

Room 738, HCLC Building
Washington, D.C. 20534

Cert. Mail No. 7009 2250 0002 3937 3132

Received

SEP 8 2010

FOIA/PA Section
Federal Bureau of Prison

Re: July 19, 2010 FOIA Request

Dear Officer:

On August 2, 2010 your office received a FOIA request from me dated July 19, 2010. As you know the FOIA requires an agency to respond to a request within twenty (20) days of receipt of the request. That time has elapsed and I have received no response from your office. Can you please inform me of the status of this request, thank you.

Very Truly Yours,

Corey Davis

Corey Davis #42898-053

NO
REQUEST
FOUND UNDER
NAME OR REG.
NUMBER.

Mr. Corey Davis
MDX Brooklyn 80295
Brooklyn, New York 1123
October 16, 2010

Freedom of Information/Privacy Office
Federal Bureau of Prisons
320 First Street N.W.
Room 738, HOLC Building
Washington, D.C. 20534
Cert Mail No. 7009 7250 0002 3937 2753

Re: July 19, 2010 FOIA Request

Dear FOIA Officer:

By letter dated September 10, 2010 your office informed me that "no request (was) found under (my) name or reg. number. This was in response to my September 1, 2010 letter requesting a response to my FOIA request dated July 19, 2010 (copy of the request is enclosed). My records show this request was received by your office on August 2, 2010. Certified Mail receipt number 7008 1830 0000 5837 1573 was signed for by a G. TAPP on August 2, 2010 (copy enclosed).

Copy
This is the third time in the last year that your agency has claimed a FOIA request sent to you via certified mail from me has somehow disappeared. Each time the return receipt was returned to me showing the date your office received it and bearing the name "C. Tapp". This prompted me to request, in number six(6) of my most recent request, to ask for the name and title of this person who clearly receives my requests. After this they disappear. Please investigate why my requests continue to vanish without being responded to. Please inform me of the results of your inquiry and please provide me the records I requested in the enclosed copy of my July 19, 2010 request.

Very Truly Yours,

Brey Davis

Brey Davis #42898-053

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OFFICIAL USE

Postage	\$	FOIA	Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$ 5.72	July 22, 2010	

Sent To
FOI/Privacy Office Federal B.O.P.
Street, Apt. No.,
or PO Box No. 320 First Street N.W.
City, State, ZIP+4
Washington, D.C. 20534

PS Form 3800, August 2005 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
FOI/Privacy Office
Federal Bureau of Prison
320 First Street N.W.
Room 738, HOLC Building
Washington, D.C. 20534

2. Article Number
(Transfer from service label) 7008 1830 0000 5837 1573

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
[Signature]

B. Received by (Printed Name)
[Signature]

C. Date of Delivery
8/2/10

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Domestic Return Receipt 102595-02-M-1540

SENDER COMPLETE THIS SECTION

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 2. Print your name and address on the reverse so that we can return the card to you.
 3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:
*Freedom of Info. Privacy Office
 Federal Bureau of Prisons
 320 First Street N.W.
 Room 738, Holc Building
 Washington, D.C. 20534*

2. Article Number (Transfer from service label) **7009 2250 0002 3937 2753**

PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]*

B. Received by (Printed Name) *[Signature]*

C. Date of Delivery *10/25/10*

D. Is delivery address different from item 1? ☒ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	<i>Complaint re. VA my FOIAS keep coming up missing Postmark copy of [illegible] 11/1 request, ask for the records October 14, 2010</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ <i>5.85</i>	

Sent To *Freedom of Information/Privacy Office*
 Street, Apt. No., or PO Box No. *320 First Street N.W.*
 City, State, ZIP+4 *Washington, D.C. 20534*

PS Form 3800, August 2006 See Reverse for Instructions

copy

Mr. Corey Davis
MDC Brooklyn 80 29th
Brooklyn, New York 11233
August 9, 2010

U.S. Department of Homeland Security
Transportation Security Administration
Office of Chief Counsel, TSA-2
601 South 14th Street
Arlington, VA 20548
Cert Mail No. 7009 2250 0002 3937 8984

Dear Counsel:

This request is made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552 and the Privacy Act, 5 U.S.C. 552a. Please provide me the following records:

* 1. The airline carrier and flight number with the corresponding passenger list for a flight which originated in Dallas-Fort Worth, traveled to Cleveland, Ohio and then continued on to New York, LaGuardia airport on either March 27, 2006 or March 28, 2006.

2. Any documents in your agency's possession regarding the
1 of 3

Copy

Flight described in item #1 of this request. This includes any notifications, reports, memorandums, or E-mail from within your agency and or from any outside law enforcement agency.

- 3 The names and titles of all flight crew members on the flight described in item #1 of this request
- 4 Any documents of the TSA requiring Commercial air carriers to electronically store flight records. I.e. passenger lists, incident reports, payment records, flight delays
- 5 The name of the air Marshal assigned to the flight described in item #1 of this request
- 6 Any and all documents in your agency's possession bearing the name Corey Davis D.O.B. February 13, 1972, Chester Davis D.O.B. August 23, 1944, Chet Davis, and or William Duval Carter.

* I am aware of the requestor's obligation to reasonably describe the records they seek. Given modern data bases and computerized information records systems, I believe my requests are descriptive enough to conduct a reasonable search and provide me the records I seek. I do believe the carrier to be either Air Tron or

Copy

Jet Blue Airlines, however I am not certain. In the event the records I seek are maintained by another entity, can you please inform me of the proper entity to address my request to and their mailing address.

Very Truly Yours,

Corey Davis

Corey DAVIS #47898-053

U.S. Postal Service
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OFFICIAL USE

Postage	\$	FOIA Postmark Here <i>Aug. 10, 2006</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ <i>5.72</i>	

Send To
Hopeland Security - TSA - Chief Counsel
 Street, Apt. No.,
 or PO Box No. *601 South 12th Street*
 City, State, ZIP+4[®]
Richmond, Virginia 20598

PS Form 3800, August 2006 See Reverse for Instructions

AUG 23 2010



U.S. Department of Homeland Security
Washington, DC 20528-6020

**Transportation
Security
Administration**

Mr. Corey Davis
No. 42898-053
MDC Brooklyn 80-29th Street
Brooklyn, New York 11232

Re: TSA 10-0762

Dear Mr. Davis:

This letter acknowledges receipt of your Freedom of Information Act/Privacy Act (FOIA/PA) request to the Transportation Security Administration (TSA), dated August 9, 2010, and you sought information pertaining to aircraft carriers and records on yourself.

An individual's request for information pertaining to him/her is processed under both the FOIA and the PA to afford maximum access to records. Because you have asked for copies of records about yourself, we must verify your identity to ensure that your personal information is not released to anyone other than you. The DHS regulations, 6 CFR Part 5 § 5.21(d), require verification of your identity, including your full name, current address and date and place of birth. In addition, your request must be made in writing, must contain your signature, and should either be notarized or contain a statement made under penalty of perjury as permitted by 28 U.S.C. 1746. Because you have not provided this documentation, your request is not a proper FOIA/PA request, and we are unable to initiate searching for responsive records.

For your convenience, I have attached an affirmation/declaration form that can be used to satisfy the requirements of a perfected FOIA/PA request, as stated in the second paragraph of this letter. You must complete this form and return it to our office before we can initiate a search for records. If we do not receive the completed form within 30 days from the date of this letter, we will assume that you no longer require the information requested, and your request will be administratively closed.

This is not a denial of your request. Upon receipt of a perfected request, you will be advised as to the status of your request.

If you have any questions or would like to discuss this matter, please feel free to contact this office at (866) 364-2872 and refer to TSA10-0762.

TSA FOIA Office

PRIVACY ACT STATEMENT: AUTHORITY: 49 U.S.C. § 114; 5 U.S.C. 552a. **PRINCIPAL PURPOSE(S):** This information will be used to verify your identity for purposes of processing your request under the Privacy Act, or for records requested during litigation or enforcement action involving TSA. **ROUTINE USE(S):** This information may be shared pursuant to routine uses identified in the following DHS and TSA system of records, DHS/ALL 001 Freedom of Information Act and Privacy Act Record System, DHS/TSA 001, Transportation Security Enforcement Records System, DHS/TSA 002 Transportation Security Threat Assessment System, and DHS/TSA 009 General Legal Records. **DISCLOSURE:** Voluntary; failure to furnish the requested information may result in no action being taken on your request.

PLEASE RETURN TO: U.S. Department of Homeland Security, Transportation Security Administration,
FOIA Office, TSA-20, 601 S. 12th Street, East Building, Arlington, VA 20598-6020 or Via Facsimile: 571-227-1406.

copy

Mr. Corey Davis
MDC Brooklyn 80 29th St.
Brooklyn, New York 11231
August 29, 2010

U.S. Department of Homeland Security
Transportation Security Administration
Freedom of Information Office, TSA-20
601 South 12th Street - East Building
Arlington, Virginia 20598

Post Mail No 7008 3230 0002 4981 0966

Dear FOI Officer:

On August 27, 2010 I received your letter in reply to my FOIA request, assigned Number TSA 10-0762 by your office. Enclosed please find the declaration form you sent which is required to process my information request. It has been filled out completely. I thank you for beginning the search for the records I seek.

Very truly yours,

Corey Davis

Corey Davis 42898-053

(1) enclosure

☐ Complete this form if delivery is to a business or organization.
☐ Print your name and address on the reverse side of the card to your business.
☐ Attach this card to the back of the mailpiece or on the inside of the envelope.

U.S. Department of Homeland Security
 Transportation Security Administration
 Freedom of Information Act
 601 South 12th Street East
 Arlington, Virginia 22202

Received by: *[Signature]*
 Is delivery address different from return address? ☐ YES
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Signature Required

4. Restricted Delivery (Signature Required) ☐ YES

2. Article Number (Barcode)
 7008 3230 0002 4981 0966

PS Form 3800, February 2004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	FOI Declaration Form - Cover Letter Postmark Here Aug. 29, 2010
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.88	

Sent To: *U.S. Homeland Security - T.S.A. FOI Office*
 Street, Apt. No., or PO Box No.: *601 South 12th Street - East*
 City, State, ZIP+4: *Arlington, Virginia 22202*

PS Form 3800, August 2006 See Reverse for Instructions

Mr. Corey Davis
MDC Brooklyn 80-29th
Brooklyn, New York 11232
October 16, 2010

U.S. Department of Homeland Security
Transportation Security Administration
Freedom of Information Office, TSA-20
601 South 12th Street - East Building
Arlington, Virginia 20548

Cert. Mail No. 7009 2250 0002 3937 3217

Re: TSA 10-0762

Dear FOI Officer:

On August 29, 2010, as per request from your office, I returned to your office the declaration form you said was needed to be filled out so your office can provide me records I requested in the above numbered FOIA request. Certified mail number 7008 3230 0002 4981 0966 ~~was~~ containing my completely filled out declaration was received and signed for by your office on September 7, 2010 (see enclosed copies). As you know the FOIA calls for an agency to respond to a request within twenty (20) days. That time has passed and I have not received

only response from your office. Can you please respond by providing the records I seek and are releasable under the Freedom of Information Act, thank you.

Very Truly Yours,

Corey Davis

Corey Davis # 42898-053

ENCLOSURES 1

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Track & Confirm

Search Results

Label/Receipt Number: 7009 2250 0002 3937 3217

Service(s): Certified Mail™

Status: Delivered

Your item was delivered at 7:41 am on October 25, 2010 in DHS, VA 20598.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, October 25, 2010, 7:41 am, DHS, VA 20598
- Notice Left, October 24, 2010, 11:59 am, DHS, VA 20598
- Arrival at Unit, October 24, 2010, 10:41 am, WASHINGTON, DC 20022

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA



United States Postal Service



United States Postal Service

Corey Davis
14X Brooklyn 80-#5
Brooklyn, New York 11238
November 18, 2010

U.S. Department of Homeland Security
Transportation Security Administration
Freedom of Information Office, TSA 20
601 South 17th Street - East Building
Arlington, Virginia 20548
Cert. Mail No. 7009 2250 0002 3937 2982

Re: TSA 10-0762

Dear FOIA Officer:

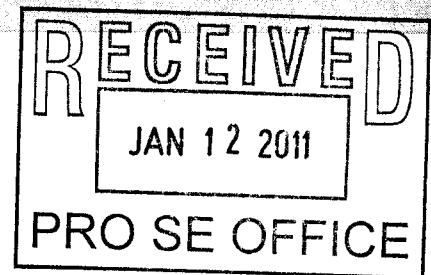
I filed a FOIA request with your office which was assigned the above number. Your office replied by requesting I remit a declaration authorizing release of records containing my name. On August 24, 2010 I returned the completed declaration to your office. The certified mail letter containing this declaration was received and signed for at your office on September 7, 2010. I received no response from your office so on October 16, 2010 I again wrote your office to request a response to my request. I have still received no reply. Please provide me the records I seek and are releasable to me otherwise I will have no choice but to seek the court's assistance.

Very Truly Yours,
Corey Davis # 47898-053

Corey Davis
 42898-053
 MDC Brooklyn 80-29th street
 Brooklyn New York 11232

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK
 PRO SE OFFICE
 U.S. COURTHOUSE
 225 CADMAN PLAZA EAST
 BROOKLYN, NEW YORK 11201



Date: Jan 7, 2011

Dear Litigant: Mr. Davis

The Court's Pro Se Office received the enclosed papers on Jan 6, 2011. The papers are being returned to you for one or more of the following reasons checked below. Please read this list carefully to correct any mistakes or omissions in your papers. If you decide to proceed with your action, you must return the enclosed papers **WITHIN 14 DAYS FROM THE DATE OF THIS LETTER** for processing (together with this letter).

- ☐ Papers, including complaints, petitions, motions or any other document, cannot be filed without an original signature pursuant to Rule 11 of the Federal Rules of Civil Procedure. Your original signature is needed wherever an "X" appears.
- ☐ A filing fee of \$350 [in cash if submitted in person] or by certified check or money order made payable to the Clerk of Court, U.S.D.C., E.D.N.Y. is required in order to commence a civil action other than an application for a writ of habeas corpus. 28 U.S.C. § 1914. You may request to waive the filing fee by submitting an *in forma pauperis* application (also known as IFP). 28 U.S.C. § 1915. If you are a prisoner, you must also submit the Prisoner Authorization form along with the IFP application. An IFP and/or Prisoner Authorization form is enclosed.
- ☐ Each plaintiff named in the caption must sign the complaint and each plaintiff must submit a separate *in forma pauperis* (IFP) application and/or Prisoner Authorization form, if applicable.
- ☐ Your *in forma pauperis* (IFP) application does not contain enough information for the Court to consider your request. Please fill out the enclosed IFP application. If you are presently incarcerated, please complete the enclosed Prisoner Authorization form as well as the IFP application.

☒ Other: Please fill out enclosed Prisoner Authorization
Form and return all documents to the Court

Sincerely,

Pro Se Writ Clerk
 (718) 613-2665

Enclosure(s)

rev. 4/06

PLRA Form.

Mr. Corey DAVIS
MDC Brooklyn 80th St
Brooklyn, New York 11232
January 10, 2011

Pro Se Clerk, U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: PLRA Authorization Form

Dear Clerk:

Enclosed please find the original documents I submitted to your office, which you returned to me on January 7, 2011. As per your instructions I have filled out the PLRA Authorization Form that you included.

Very Truly Yours,

Corey Davis

Corey DAVIS # 42898-053

Enclosure

